
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEFFREY B. SMITH,

Defendant.

**MEMORANDUM DECISION
AND ORDER**

Case No. 2:09CR909DAK

Judge Dale A. Kimball

Defendant Jeffrey B. Smith has filed a Motion for Early Termination of Supervised Release. On February 23, 2011, this court sentenced Defendant to 30 months incarceration with the Bureau of Prisons and 60 months of supervised release. Defendant began supervision on July 16, 2013 and has been completed almost four years of his term of supervised release.

Pursuant to 18 U.S.C. § 3583(e)(1), after considering the factors set forth in Section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), and (a)(6), the court may terminate a term of supervised release “at any time after the expiration of one year of supervised release . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.” The factors to be considered in Section 3553(a) are those factors to be considered in imposing a sentence, including “the nature and circumstances of the offense and the history and characteristics of the defendant,” the applicable sentencing guidelines and any policy statements issued by the Sentencing Commission, and the need for the sentence imposed

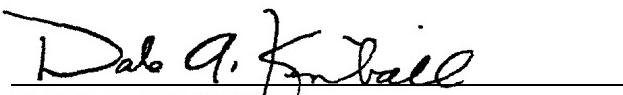
to promote respect for the law, to provide just punishment, to deter other criminal conduct, and to provide the defendant with needed services. *See* 18 U.S.C. § 3553(a).

Defendant's motion for early termination of supervised release is supported by his probation officer, and the United States has not filed an objection to Defendant's motion. Defendant has met all the conditions of his supervised release, has been fully compliant, and has appropriately used a monitored computer with internet access. Defendant successfully completed mandated therapy and continues to attend therapy sessions at his own costs and without instruction from his probation officer. Defendant's probation officer stated that he has rarely seen a defendant take the level of responsibility Defendant has taken and he believes that Defendant has developed a social support structure that will minimize the potential for any criminal activity. Defendant's letter demonstrates that he has turned his life around and that he has worked hard to become a responsible citizen. Based on Defendant's conduct, the court finds that an early termination of supervised release is warranted.

Accordingly, the court grants Defendant's motion for early termination of supervised release.

DATED this 20th day of April, 2017.

BY THE COURT:



DALE A. KIMBALL
United States District Judge